## APPENDIX B

## **HEARINGS SUBMISSIONS**

## Competition and Intellectual Property Law and Policy in the Knowledge-Based Economy February 6 - November 6, 2002

Primary source: http://www.ftc.gov/opp/intellect/index.htm

Panelist	Title	Hearing Date
Aharonian, Greg	Statistics on Prior Art Citations for U.S. Computing Patents	2/27/02
Allen, Gwillym	Canadian Intellectual Property Enforcement Guidelines	5/22/02
Anderman, Steve	Microsoft in Europe	5/22/02
Arora, Ashish	Patents, R&D and Market for Technology	2/25/02
	Refusal to License: A Transaction Approach	5/1/02
	Refusal to License: A Transaction Based Perspective	5/1/02
Arrow, Kenneth J.	Untitled	2/25/02
Baker, Charles P.	Statement	7/11/02
Barr, Robert	Untitled	2/28/02
Barton, John H.	Patents and Antitrust Emerging Paradigms	2/26/02
Beeney, Garrard R.	Pro-Competitive Aspects of Intellectual Property Pools: A Proposal for Safe Harbor Provisions	4/17/02
Beier, David	Testimony of the Biotechnology Industry Organization	2/26/02
Besen, Stanley M.	Standard Setting and Intellectual Property: An Outline of the Issues	4/18/02

Panelist	Title	Hearing Date
Bhaskar, R.	Antitrust Law in the Federal Circuit: Conflict in the Public Purpose	7/11/02
Black, Edward J.	Testimony	3/20/02
Brodley, Joseph F.	Joseph F. Brodley & Maureen O'Rourke, Patent Settlement Agreements: Preliminary Thoughts	5/2/02
	Questions for FTC/DOJ IP and Antitrust Patent Settlement Hearing	5/2/02
Brunt, George B.	Alcatel Company Presentation	3/20/02
Burk, Dan L.	Dan L. Burk & Mark Lemley, Is Patent Law Technology Specific?	3/20/02
	Patent Disclosure Doctrines	7/10/02
Busey, Roxane C.	SECTION OF ANTITRUST LAW, AMERICAN BAR ASSOCIATION, REPORT ON THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT (2002).	7/11/02
	Untitled	7/11/02
Cargill, Carl	Intellectual Property Rights and Standards Setting Organizations: An Overview of Failed Evolution	4/18/02
Carlin, Fiona	The EU Committee, American Chamber of Commerce in Belgium, Position Paper on the Commission's Review of the Technology Transfer Block Exemption, Regulation 240/96	5/22/02
	Review of the Block Exemption on Technology Transfer	5/22/02
Cary, George S.	Antitrust Implications of Patent Settlements	5/2/02
Caulfield, Barbara A.	Business Perspectives on Patents: Biotech and Pharmaceuticals	3/19/02
Chambers, Scott A. M.	Patenting Procedures	2/8/02

Panelist	Title	Hearing Date
Chin, Yee Wah	ABA Comments on EC Evaluation Report on TTBE	5/22/02
	Yee Wah Chin & Thomas G. Krattenmaker, <i>Antitrust Update</i> , MERGERS & ACQUISITIONS, December 2001, at 30.	5/22/02
	COMMISSION OF THE EUROPEAN COMMUNITIES, COMMISSION EVALUATION REPORT ON THE TRANSFER OF TECHNOLOGY BLOCK EXEMPTION REGULATION NO. 240/96: TECHNOLOGY TRANSFER AGREEMENTS UNDER ARTICLE 81	5/22/02
	Section of Antitrust Law, Section of International Law and Practice, Section of Intellectual Property Law, American Bar Association, Joint Comments on the Commission Evaluation Report on the Transfer of Technology Block Exemption Regulation No. 240/96 Technology Transfer Agreements Under Article 81	5/22/02
	Unilateral Technology Suppression: Appropriate Antitrust and Patent Law Remedies, 66 ANTITRUST L.J. 441 (1998).	5/22/02
Cohen, Wesley M.	Patents: Their Effectiveness and Role	2/20/02
Cook, Robert N.	A Competition View of Patent Settlements: Settling Patent Disputes by Merger: Some Antitrust Considerations	5/2/02
Detkin, Peter N.	A Semiconductor Patent Survey	2/28/02
Deutsch, Donald	Statement on Intellectual Property Strategy in Standards Activity	4/18/02

Panelist	Title	Hearing Date
Dick, Rebecca	Extending the Useful Life of Intellectual Property: Antitrust Risks and Safety Zones	5/14/02
Dolmans, Maurits	EU Standardization: IPR Policies and RAND Licensing	5/22/02
	Standards for Standards	5/22/02
Duffy, John F.	Nonobviousness: The Economics and Legal Process of the Doctrine	7/10/02
Ergas, Henry	Intellectual Property Rights & Competition Law	5/22/02
	Treatment of Unilateral Refusals to License and Compulsory Licensing in Australia	5/22/02
Evenson, Robert E.	IPRs and Innovation	2/20/02
Farrell, Joseph	Competition and IP	2/28/02
	Incentives to Challenge IP	5/14/02
	IP Bundling and Antitrust	5/14/02
Feinstein, Richard A.	Per Se Antitrust Risks in Hatch- Waxman Agreements	5/2/02
Forrester, Ian S.	Compulsory Licensing in Europe: A Rare Cure to Aberrant National Intellectual Property Rights?	5/22/02
Fox, Stephen P.	Opening Statement	2/28/02
Fromm, Jeffery	Patent Pools and Cross-Licensing	4/17/02
Futa, Baryn S.	Statement	4/17/02
Gellhorn, Ernest	Standard-Setting	4/18/02
Gifford, Daniel J.	Standards and Intellectual Property: Licensing Terms: Some Comments	4/18/02

Panelist	Title	Hearing Date
Gilbert, Richard	The Evolution of Guidelines	2/6/02
	Should Innovation Have a Role in Merger Policy?	2/25/02
Gleklen, Jonathan	Antitrust Liability for Unilateral Refusals to License Intellectual Property: <i>Xerox</i> and Its Critics	5/1/02
	Unilateral Refusals to License IP	5/1/02
Glover, Gregory J.	PhRMA Statement: Competition in the Pharmaceutical Marketplace	5/19/02
Gordon, George G.	The Implications of Federal Circuit Jurisdiction for the Development of Antitrust Law	7/11/02
Greenstein, Shane	Market Structure and Innovation: A Brief Synopsis	2/20/02
Grindley, Peter	IP, Cross-Licensing and Patent Pools: Similarities and Contrasts	4/17/02
Guerin-Calvert, Margaret E.	Competition and Innovation in the Context of Network Economics	2/20/02
Hall, Bronwyn H.	Patents and Innovation	2/26/02
	Testimony	2/26/02
Harris, H. Stephen, Jr.	Competition Law and Intellectual Property Protection in Japan: A Half- Century of Progress, a New Millennium of Challenges	5/23/02
	IP and Competition Law Developments in Japan	5/23/02

Panelist	Title	Hearing Date
Hoerner, Robert J.	The Decline (and Fall?) of the Patent Misuse Doctrine in the Federal Circuit, 69 ANTITRUST L.J. 669 (2001).	7/11/02
	Is Activity Within the Subsections of 35 U.S.C. § 271(d) Protected from a Finding of Antitrust Violation?, 74 J. PATENT & TRADEMARK OFFICE SOCIETY 283 (1992).	7/11/02
	Patent Misuse	7/11/02
	Patent Misuse: Portents for the 1990s, 59 Antitrust L.J. 687 (1991).	7/11/02
Holleman, Richard J.	A Response: Government Guidelines Should Not Be Issued in Connection with Standards Setting	4/18/02
	Comments on Standards Setting and Intellectual Property	4/18/02
Hull, David W.	The IMS Case: A Comparative Perspective	5/22/02
	David W. Hull, James R. Atwood & James B. Perrine, <i>Intellectual Property: Compulsory Licensing</i> , EUROPEAN ANTITRUST REV. (2002).	5/22/02
Jacobson, Jonathan M.	Counseling in Uncertainty: The Law of Tying & Intellectual Property	5/14/02
	Did the Per Se Rule on Tying Survive 'Microsoft'?, previously published as: Jonathan M. Jacobson & Abid Qureshi, Did the Per Se Rule on Tying Survive 'Microsoft'?, 226 N.Y.L.J. 1 (2001).	5/14/02
James, Charles	Opening Day Comments	2/6/02
Japan Fair Trade Commission 2002 Study Group on "Patents in New Areas and Competition Policy"	Untitled	5/23/02

Panelist	Title	Hearing Date
Kahin, Brian	Presentation	3/19/02
	What are Business Methods?	4/11/02
Katsh, Salem M.	Presentation	4/10/02
	Presentation	5/14/02
Kattan, Joseph	Evaluating Patent Infringement and Validity in Antitrust Analysis	5/14/02
Kelly, Christopher J.	Patent Pools and Antitrust Enforcement – 1997-2001	4/17/02
Kesan, Jay P.	Toward a Better Informed Patent System	4/10/02
Kim, Byungbae	Korean Competition Policy with Regard to Intellectual Property Rights	5/23/02
Kirsch, Paul F.	Refusals to License IP – The Perspective of the Private Plaintiff	5/1/02
Klein, Benjamin	Antitrust and IP: What the Feds Should Do About Refusals to Deal	5/1/02
Kovacic, William E.	Antitrust Law for Intellectual Property Attorneys	2/8/02
Koyanagi, Masayuki	Japanese Perspective on Relationship Between IP and Antitrust	5/23/02
Kulbaski, James J.	Comments on Patent Pools and Standards for Federal Trade Commission Hearings Regarding Competition & Intellectual Property	4/17/02
Kushan, Jeff	Examination Reforms as a Means of Improving Patent Quality	4/11/02
Lang, John Temple	Compulsory Licensing of Intellectual Property in European Community Antitrust Law	5/22/02
Langenfeld, James	Innovation, Competition, and Intellectual Property: Providing an Economic Framework	2/20/02

Panelist	Title	Hearing Date
Leavy, James	LESI European Committee, Comments on the Commission Document: "Evaluation Report on the Transfer of Technology Block Exemption Regulation No. 240/96"	5/22/02
	The Technology Transfer Block Exemption	5/22/02
Lemley, Mark A.	Intellectual Property Rights and Standard Setting Organizations	4/18/02
Lerner, Josh	Into the Patent Thicket	2/20/02
	Patent Pools: Some Policy Considerations	4/17/02
Liebowitz, Stan	Untitled	2/20/02
Lipsky, Abbott B., Jr.	"Amateurs in Black"	5/14/02
Liu, Len-yu	The CD Product Patent Licensing Practices in Taiwan Were in Violation of the Fair Trade Law	5/23/02
Lo, Allen M.	A Need For Intervention: Keeping Competition Alive in the Networking Industry in the Face of Increasing Patent Assertions Against Standards	4/18/02
Love, James	Perspectives on Competition and Intellectual Property Law and Policy in the Knowledge-Based Economy	3/19/02
Love, John J.	Steps Taken to Improve Patent Quality	2/27/02
Lunney, Glynn S., Jr.	Patents, the Federal Circuit, and the Simply Property Perspective	7/10/02
MacKie-Mason, Jeffrey K.	What to Do About Refusals to License?	5/1/02
	What to Do About Unilateral Refusals to License?	5/1/02
Maebius, Stephen	Opening Remarks	4/11/02

Panelist	Title	Hearing Date
Marasco, Amy A.	Standards-Setting Practices: Competition, Innovation and Consumer Welfare	4/18/02
McGowan, David	Enforcement Issues Regarding Pooling and Cross-Licensing	4/17/02
	Enforcement Issues Regarding Pooling and Cross-Licensing (slides)	4/17/02
Mehta, Kirtikumar	Licensing of Intellectual Property Under EU Competition Rules: The Review of the Technology Transfer Block Exemption Regulation	5/22/02
Melamed, A. Douglas	A. Douglas Melamed & Ali M. Stoeppelwerth, The CSU Case: Facts, Formalism and the Intersection of Antitrust and Intellectual Property Law (April 11, 2002), subsequently published as: A. Douglas Melamed & Ali M. Stoppelworth, <i>The</i> CSU <i>Case: Facts, Formalism and the Intersection of Antitrust and Intellectual Property Law</i> , 10 GEORGE MASON L. REV. 407 (2002).	5/1/02
Merges, Robert P.	Second Order Patent Scope	2/26/02
	Patent Standards and Procedures: Literature Summary and Discussion of Prospects	2/28/02
Miller, Joseph Scott	This Bitter Has Some Sweet: Antitrust Enforcement Benefits from Patent Law's Procedural Rules	5/14/02
Morse, M. Howard	Cross-Licensing and Patent Pools	4/17/02
Mossinghoff, Gerald J.	Statement	2/6/02
Musacchia, Mary U.	Prepared Remarks	4/9/02
Myrick, Ronald	Testimony	3/19/02
Nelson, Philip	Relationships Between Market Structure and Innovation	2/20/02

Panelist	Title	Hearing Date
Newberg, Joshua A.	Antitrust, Patent Pools, and the Management of Uncertainty, 3 ATLANTIC L.J. 1 (2000).	4/17/02
Nydegger, Rick D.	Comments	2/27/02
	Comments	4/11/02
Ordover, Janusz A.	Antitrust for the New Economy or New Economics for Antitrust	2/20/02
Patterson, Mark R.	Inventions, Industry Standards, and Intellectual Property	4/18/02
Peterson, Scott K.	Patents and Standard-Setting Processes	4/18/02
	Consideration of Patents During the Setting of Standards	11/6/02
Putnam, Jonathan D.	The Regulation of Patent Pools	4/17/02
Quillen, Cecil D., Jr.	Statement	3/19/02
	Testimony Notes	7/11/02
Rapp, Richard T.	Richard T. Rapp & Lauren J. Stiroh, Standard Setting and Market Power	4/18/02
Rey, Patrick	Economics of Compulsory Licensing	5/22/02
	Patrick Rey & Jean Tirole, A Primer on Foreclosure (February 21, 1997).	5/22/02
Rogan, James E.	Prepared Remarks	2/6/02
Sander, Scott	Prepared Remarks	3/20/02
Scotchmer, Suzanne	Competition Policy and Innovation: The Context of Cumulative Innovation	2/26/02
	Cumulative Innovation: Breadth and Standards for Protection	4/10/02

Panelist	Title	Hearing Date
Shapiro, Carl	Competition Policy and Innovation (Organisation for Econ. Co-operation and Development, STI Working Paper No. 2002/11, 2002).	5/1/02
	Antitrust Limits to Patent Settlements	5/2/02
Sibley, David S.	Long Term Contracts as Barriers to Entry	5/14/02
Snyder, Edward A.	Untitled	3/19/02
Sprigman, Christopher J.	Unilateral Refusals to License IP: <i>Xerox</i> and the Right to Exclude	5/1/02
Stack, Stephen A., Jr.	Abbott Laboratories and Geneva Pharmaceuticals, Inc., File No. 981- 0395: Comment on Proposed Consent Order	5/2/02
	Patent Settlements	5/2/02
Stiroh, Lauren J.	Richard T. Rapp & Lauren J. Stiroh, Standard Setting and Market Power	4/18/02
Stoner, Robert	Intellectual Property and Innovation	2/26/02
Sung, Lawrence M.	Scope and Enforcement of Patent Rights	2/08/02
	Greater Predictability May Result in Patent Pools	4/17/02
	Patent Pools and Cross Licensing	4/17/02
	JEANNE CLARK, JOE PICCOLO, BRIAN STANTON & KARIN TYSON, U.S. PATENT & TRADEMARK OFFICE, PATENT POOLS: A SOLUTION TO THE PROBLEM OF ACCESS IN BIOTECHNOLOGY PATENTS? (2000).	4/17/02
Swanson, Daniel G.	Evaluating Market Power in Technology Markets when Standards Are Selected in Which Private Parties Own Intellectual Property Rights	4/18/02

Panelist	Title	Hearing Date
Taylor, Robert P.	Presentation	2/27/02
	Statement	7/11/02
Teece, David J.	Intellectual Property, Valuation, and Licensing	2/26/02
	IP, Competition Policy, and Enforcement Issues	2/27/02
Telecky, Frederick J., Jr.	Statement	2/28/02
Thomas, John R.	Patent Law and Policy: An Introduction	2/8/02
	Intellectual Property Rights in Computer Software and Business Methods: A Skeptical View	4/11/02
Thompson, Mozelle W.	Economic Perspectives on Intellectual Property, Competition, and Innovation	2/25/02
Thurston, Richard L.	Business and Other Perspectives on Real-World Experience with Patents	3/20/02
	Competition and Intellectual Property Law and Policy as It Relates to the Semiconductor Foundry Industry	3/20/02
Tom, Willard K.	Antitrust Law for IP Lawyers: Agreements Under § 1 of the Sherman Act	2/8/02
	Antitrust for IP Lawyers: Mergers	2/8/02
Udell, Lawrence J.	Untitled	2/28/02

Panelist	Title	Hearing Date
Updegrove, Andrew	Is There a Need for Government Regulation of the Standard Setting Process?: An Analysis of Underlying Realities	4/18/02
	Observations on the Current Dynamics of Consortium Standard Setting	4/18/02
	Standard Setting and Consortium Structures	4/18/02
Varian, Hal R.	Intellectual Property, Competition and Innovation: Some Partially-Baked Ideas	2/25/02
Venit, James S.	Intellectual Property and EC Antitrust: Unilateral Refusals to License	5/22/02
Vistnes, Gregory	Bundling and Tying: Antitrust Analysis in Markets with Intellectual Property	5/14/02
	Practical Issues in Intellectual Property Investigations: Balancing Rules Versus Discretion	5/14/02
Webbink, Mark	Mark Webbink, Colin Crossman, Thomas Griffin & David Silverstein, Red Hat's Comments to the Joint FTC/DOJ Hearing on Competition and Intellectual Property Law	3/20/02
Weil, Matthew F.	Statement	7/11/02
Weinstein, Les J.	Current Issues Involving the U.S. Patent System and Competition: Room for Improvement	2/27/02
	Room for Improvement in the Patent System: Enhancing Both Innovation and Competition	2/27/02
Weitzner, Daniel J.	Testimony	4/18/02
White, Lawrence J.	Network Industries and Innovation	2/20/02
Whitener, Mark D.	Statement	5/1/02

Panelist	Title	Hearing Date
Wiley, John Shepard, Jr.	Antitrust and IP: What the Feds Should Do About Refusals to Deal	5/1/02
Wolin, Harry	Standard Setting in the Semiconductor Industry: Trends, Benefits and Anticompetitive Concerns	3/20/02
Yao, Dennis A.	Standard Setting Practices: Competition, Innovation, and Consumer Welfare	4/18/02
Ziedonis, Rosemarie	The Role of Patents in Semiconductors: Insights from Two Recent Studies	3/20/02